

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MONTELL ANDRE GARRETT,
Plaintiff,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

Case No. 17-cv-04666-JST (PR)

ORDER OF DISMISSAL

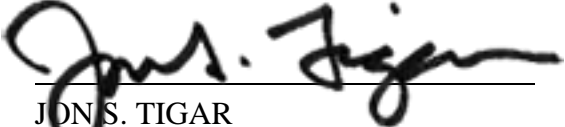
On August 21, 2017, plaintiff, proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On October 23, 2017, the Court dismissed the complaint with leave to amend, explaining the deficiencies in the complaint that needed to be cured. The Court directed plaintiff to file an amended complaint within twenty-eight days. Plaintiff was cautioned that his failure to do so would result in the dismissal of this action. More than twenty-eight days have passed, and plaintiff has not filed an amended complaint.

Further, plaintiff has failed to comply with the Court's order to (1) perfect his application to proceed in forma pauperis ("IFP"), or (2) pay the filing fee. The IFP application is incomplete because plaintiff failed to file a Certificate of Funds completed and signed by an authorized prison officer, and a prison trust account statement detailing transactions for the last six months.

Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

Dated: January 31, 2018


JON S. TIGAR
United States District Judge